

REMARKS

The present invention is directed to an endless belt such as a fan belt for use in power transmission which is particularly adapted to be readily formed on site to any desired length. The belt is comprised of an outer length of flexible tear-resistant material having abutting ends so as to form a closed loop and defining an endless channel extending longitudinally therethrough. An inelastic ribbon of flexible tear-resistant material is disposed within the channel and extends about the loop defined by the outer length of material such that the ribbon extends across the abutting ends of the outer length of material. Preferably, the first end of the ribbon overlaps the second end of the ribbon. In certain embodiments, the ribbon can extend twice about the outer length of material and the abutting ends of the ribbon can be disposed in a substantial adjacent disposition. An adhesive is injected into the channel separately from the ribbon such that the adhesive is disposed along and about the layer or layers of ribbon, not only securing adjacent layers of ribbon together, but also securing the ribbon to the outer length of material. Such a securingment maintains the outer length of material in the closed loop configuration of predetermined size even during high-speed applications.

At the time this reissue application was filed to cure certain errors, the patentee became aware of U.S. Patent No. 2,985,222 (Marty et al.) and amended the claims to distinguish over Marty. In the present Office Action, the claims in

this reissue application were rejected under Sections 102(b) and 103(a) primarily based on Marty. This position is respectfully traversed.

The Marty reference teaches an endless belt construction that differs from the reissue Applicant's belt in the nature of the reinforcing material and the adhesive and the resulting difference is substantial. The Marty reference discloses a belt configuration in which the outer length of flexible material can be opened to expose an interior channel so as to allow multiple wraps of pressure-sensitive adhesive tape to be disposed within the channel to maintain the outer length of material in its desired disposition. Not only do such layers of tape present numerous sharp edges formed by the lateral ends of the tape which can tear the outer flexible length of material and destroy the product, the Marty tape will not provide adequate securement of the reinforcing tape to the outer length of material. Each layer successively secures one layer to its lower adjacent layer but does not secure the individual layers to the outer length of material. Only the inner layer of tape is so secured and the securement solely of the inner surface of a single thin layer of tape to the lower channel wall in the belt provides an inadequate attachment of the tape to the outer length of flexible tear-resistant material to retain the integrity of the belt during high-speed applications.

To solve this problem, Applicant developed a thin slit that communicates with and along the channel through which adhesive can be injected so as to extend over and about the interior reinforcing ribbon, not only securing

together any multiple layers of reinforcement, but securing all exposed sides of the reinforcing ribbon to the outer length of material. The resultant integrity of the belt is substantial which is critical due to the high-speed operation of such belts and the resulting stresses acting on the belt during such use. It can be readily appreciated that with the Marty device, even with his interlocking version illustrated in Figure 18, the upper surfaces of the belt would tend to open during high-speed operation and, combined with the limited securement of the interior tape in the Marty device to the outer layer of material, a construction highly susceptible to failure results. The virtual encapsulation of Applicant's reinforcing ribbon by his injected adhesive was found to substantially enhance the securement of the inner ribbon to the outer belt material and the resulting integrity of the belt.

Each of the claims in the present application recite that the adhesive is an injected adhesive, that it is separate from the ribbon, that it is disposed about the ribbon and that it secures the ribbon to the outer length of material to maintain the outer length of material in the closed loop configuration. These features are simply not found in the adhesive-backed tape employed by Marty and it is these features which provide Applicant's product with its superior securement of the outer length of material in its desired configuration.

The Examiner notes that Marty does not employ an injected adhesive but argues that the patentability of a product does not depend on its method of production. While this is generally true, the claim language here clearly recites

that the adhesive is separate from the ribbon, which is not the case with Marty, and which provides the ability of the adhesive to encapsulate the ribbon and form the desired securement. Thus, the language is not merely functional but forms a meaningful limitation of the type of adhesive employed in the belt.

The Examiner also relies on the Takashima reference (U.S. 4,655,732) for its teaching of an adhesive injected into the belt to keep a reinforcing member adhered to a belt. It is respectfully submitted that the Takashima reference is totally unrelated to anything found here. Takashima teaches the use of a plurality of adjacent blocks 112 which are coated with a layer to glue the blocks together as seen in Figure 20 (see col. 8, lines 28-35). The reference to injection at col. 8, lines 60-65 have nothing to do with injecting an adhesive into a channel about a ribbon in the manner taught by Applicant. It refers simply to the integration of two resins A and B. There is certainly no similarity between the teachings of the two cited references that would give one skilled in the art any indication that resin could be injected into a channeled belt in the manner taught by Applicant. It is respectfully requested that the Examiner re-review these references in light of the above comments.

Finally, the Examiner has objected to the limitation of an elastic reinforcing ribbon of a flexible tear-resistant material. This terminology has been continuously used in the multiple Beck patents cited in the patent for which this reissue is sought and in the present patent to describe a product which can bend but

not stretch. We respectfully submit that such a definition is quite clear from the specification and indeed, the materials to which it refers are clearly recited. Certainly, there is nothing indefinite about this language in view of Applicant's specification and the teachings therein.

For all of the above reasons, it is respectfully requested that the rejection of the pending claims in this reissue application be reconsidered and withdrawn. It is believed that with a review of the prior art in view of the above arguments, the criticality of the differences between Applicant's structure and that in the cited art will be apparent.

Respectfully submitted,

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Dated: June 19, 2009

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OCT2004

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